

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRI RIVER MEATS; NATHON
GOETZ; AMANDA WELLS; MICHAEL
GOETZ,

Defendants.

NO. CV-08-276-EFS

**ORDER OF DEFAULT JUDGMENT,
AND DECREE OF FORECLOSURE**

Before the Court, without oral argument, is the USAO's Application for Judgment and Decree of Foreclosure Upon Order of Default (Ct. Rec. [10](#)). Upon the USAO's motion, the Clerk of the Court entered an Order of Default on April 12, 2010 (Ct. Rec. [9](#)). On April 20, 2010, the USAO filed the motion under consideration, along with the affidavit required under Federal Rule of Civil Procedure 55.

Accordingly, **IT IS HEREBY ORDERED:**

1. The USAO's Application for Judgment and Decree of Foreclosure Upon Order of Default (Ct. Rec. [10](#)) is **GRANTED**.

1 2. Judgment is **ENTERED** in favor of Plaintiff and against Defendants
2 Tri River Meats, Nathon Goetz, Amanda Wells, and Michael Goetz in the
3 amount of \$41,779.57 (\$38,962.17 principal and \$2,837.40 interest accrued
4 through February 21, 2008); plus interest to accrue at the rate of
5 \$4.8036 per day from and after February 21, 2008, to the date of
6 judgment; plus interest from the date of judgment at the legal rate until
7 paid in full, for costs of suit, including the filing fee allowed
8 pursuant to 28 U.S.C. § 2412(a)(2), and other proper relief.

9 2. The debt upon which this judgment is based is secured and
10 perfected by the following:

11 a) Security agreements dated May 25, 2005, February 24, 2006,
12 and October 18, 2007, covering crops, livestock, supplies, and
13 farm equipment;

14 b) Security agreements were perfected by a financing statement
15 filed for record on May 24, 2005, as Instrument No. 2005-144-
16 1720-6, Official Records of Department of Licensing, Olympia,
17 Washington.

18 3. The foregoing security agreements and financing statements cover
19 the following described property situated in Okanogan County, State of
20 Washington:

21 1 Bailer, New Holland S-78, 1956 S/N 3607
22 1 Swather, John Deere 880, 1971 S/N 050873
23 1 Tractor, Massey Ferguson, TO-20, 1954 S/N 36090
24 1 Hay Rake, John Deere 350, S/N 8454
25 1 Tractor, Fordson Super Major, S/N 08B758587
26 1 Loader, Shawnee, S/N M 2770
1 Harrow Bed, New Holland 1012

1 1 Bailer, New Holland 282, 1978 S/N 135309

2 1 Harrow

3 1 Fork, Homemade

4 1 Cattle - Beef - Bull

5 11 Cattle - Beef - Cows

6 6 Cattle - Beef - Calves

7 4. Said real estate mortgages, security agreements, and financing
8 statements, which constitute first and prior liens upon the property
9 described therein, are hereby foreclosed and defendants Tri River Meats,
10 Nathon Goetz, Amanda Wells, Michael Goetz, and all persons claiming by,
11 through, or under them are forever barred and foreclosed from asserting
12 any right, title, or interest in and to said property, except for the
13 statutory rights of redemption allowed by the laws of the State of
14 Washington, and said property is hereby ordered sold in the manner
15 provided by law with the proceeds of such sale to be applied to the
16 expense thereof, and then in satisfaction of the sums adjudged to be due
17 plaintiff herein.

18 5. Any party to this suit may become a purchaser at such sale.

19 6. The plaintiff shall not have a deficiency judgment in the event
20 the sum received from the sale is insufficient to pay the judgment in
21 full.

S/ Edward F. Shea

United States District Judge

ORDER * 4